

Docket No. 250893US0CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Giovanni CAPONETTI, et al.

SERIAL NO: 10/806,240

GAU: 1615

FILED: March 23, 2004

EXAMINER:

FOR: POWDER PARTICLES WITH SMOOTH SURFACE FOR USE IN INHALATION THERAPY

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☒ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. In accordance with discussions on August 4, 2004 with Mr. Nicholas P. Godici, Commissioner for Patents, it is no longer required to submit copies of cited pending applications. A modification of the Rules will be published soon in the Official Gazette. Cited issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Stephen G. Baxter

Registration No. 32,884

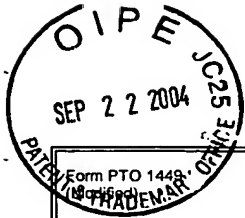
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Vincent K. Shier, Ph.D.

Registration No. 50,552

Form PTO 1449  
Patent OfficeU.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.  
250893US0CONTSERIAL NO.  
10/806,240

## LIST OF REFERENCES CITED BY APPLICANT

## APPLICANT

Giovanni CAPONETTI, et al.

## FILING DATE

March 23, 2004

## GROUP

1615

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	6,521,260	02/18/03	STANIFORTH			
	AB	6,528,096	03/04/03	MUSA, et al.			
	AC	6,645,466	11/11/03	KELLER, et al.			
	AD	2003/0133880	07/17/03	MUSA, et al.			
	AE						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AF	CA 2 347 856	05/25/00	CANADA		
	AG	0 239 798	10/07/87	EUROPE		
	AH	0 441 740	08/14/91	EUROPE		
	AI	0 606 486	07/20/94	EUROPE		
	AJ	1242211	08/11/71	GREAT BRITAIN		
	AK	1381872	01/29/75	GREAT BRITAIN		
	AL	1520247	08/02/78	GREAT BRITAIN		
	AM	1571629	07/16/80	GREAT BRITAIN		
	AN	WO 87/05213	09/11/87	WIPO		
	AO	WO 93/11746	06/24/93	WIPO		
	AP	WO 95/24889	09/21/95	WIPO		
	AQ	WO 96/02231	02/01/96	WIPO		
	AR	WO 98/31351	07/23/98	WIPO		
	AS	WO 98/31353	07/23/98	WIPO		
	AT	WO 00/33789	06/15/00	WIPO		
	AU	WO 00/53157	09/14/00	WIPO		

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AV	D. Ganderton, J. <u>Pharm. Pharmac.</u> , vol. 21, pp. 9S-18S (1969).	<input type="checkbox"/> Additional References sheet(s) attached
	AW	K.S. Murthy et al, J. <u>Pharmaceutical Sciences</u> , vol. 66, pp. 1215-1219 (1977).	
	AX	H.M. Mahmoud et al, <u>Acta Pharm. Fenn.</u> , vol. 94, pp 125-131 (1985).	
	AY	Z.T. Chowhan et al, J. <u>Pharmaceutical Sciences</u> , vol. 75, pp. 534-541 (1986).	
	AZ	H.V. van Kamp et al, <u>Pharm. Acta Helv.</u> , vol. 61, pp. 22-29 (1986).	

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

AU

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 250893US0CONT		SERIAL NO. 10/806,240	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Giovanni CAPONETTI, et al.			
				FILING DATE March 23, 2004		GROUP 1615	
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AAA	N.M. Kassem, Thesis, pp. 188-213 (1990).					
	AAB	Remington's Pharmaceutical Sciences, 18th Ed., A.R. Gennaro, Ed., Mack Publishing Co., Easton, PA, pp. 589, 593, 602, 1451, 1452, 1633, 1636, 1637 (1990).					
	AAC	D. Ganderton et al., Advances in Pharmaceutical Sciences, Academic Press, pp. 165-191 (1992).					
	AAD	J. Peart et al, Pharmaceutical Research, vol. 14, no. 11, November 1997 (Supplement), 1997 AAPS Annual Meeting, Contributed Papers, Abstracts, Boston, MA, November 2-6, 1997, Abstract No. 1405.					
	AAE	Hancock, et al., J. Pharm. Sci., vol. 86, pp. 1-12 (1997).					
	AAF	X. M. Zeng, et al., Int. J. Pharmaceutics, vol. 176, p. 99-110 (1998).					
	AAG	S. Malamataris, Powder Technol., vol. 28, pp. 35-42 (1981).					
	AAH	Lindberg, Acta Pharm., Suecica, pp. 207-214 (1972).					
	AAI	H. Lieberman, et al., Pharmaceutical Dosage Forms, Dekker, pp. 77-85 (1998).					
	AAJ						
	AAK						
	AAL						
	AAM						
	AAN						
	AAO						
	AAP						
	AAQ						
Examiner						Date Considered	
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	AJ						
	AK						
	AL						
	AM						
	AN						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES                  NO		
	AO	WO 00/28979	05/25/00	Wipo w/attached English Abstract			
	AP	WO 96/23485	08/08/96	Wipo			
	AQ	WO 95/11666	05/04/95	Wipo			
	AR						
	AS						
	AT						
	AU						
	AV						
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**LIST OF RELATED CASES**

<u>Docket Number</u>	<u>Serial or Patent Number</u>	<u>Filing or Issue Date</u>	<u>Inventor/ Applicant</u>
229149US0 PCT	10/257,368	02/04/03	STANIFORTH, et al.
250893US0 CONT*	10/806,240	03/23/04	CAPONETTI, et al.

\*Present Application; listed for information  
NFO/amr